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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,777	10/04/2004	Chan-Chun Sung		5776

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EXAMINER

BRITTAIN, JAMES R

ART UNIT PAPER NUMBER

3677

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,777

Applicant(s)

CHAN-CHUN SUNG

Examiner

James R. Brittain

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 1-7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification Objections

The abstract is objected to because the term --buckling-- on line 2 is misspelled.

Correction is required.

The specification is objected to because the term --buckling-- "stripes" found in paragraph 4 is unclear in context. Additionally it is noted that applicant is utilizing the improper use of square brackets to designate paragraphs. The paragraphs should be numbered within square brackets simply with numerals such as [0001], [0002], etc. Additionally, the last paragraph lacks a paragraph number. A substitute specification properly designating the paragraphs using appropriate notation is required. Correction is required.

Claim Objections

Claim 1-7 are objected to because of the following informalities: in regard to claims 1, 3, and 5, the term "buckling" is misspelled on line 2 of each claim. The dependent claims are objected to because they depend from objected to claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. §102(b) as being clearly anticipated by Lerra et al. (US 6226844).

Lerra et al. (figures 8-10) teach a rotary buckle comprising: a female buckling element, comprising an opening and a buckling portion, wherein a side opposite to the opening comprises a receiving chamber for receiving a knitted belt; and a male buckle element, comprising a fitting portion for fitting into the opening of the female buckling element and a latching portion for positioning into the buckling portion of the female buckling element, wherein a side opposite to the fitting portion comprises a receiving chamber for receiving a knitted belt in the side opposite to the opening of the female buckling element comprises a track along which a directing element of the receiving chamber can be rotated, and wherein a side opposite to the fitting portion comprises a receiving chamber and a side opposite to the fitting portion of the male buckling element comprises a track 101, 102, 103 along which a directing element of the receiving chamber can be rotated. Figures 10 and 10a show the directing elements of the receiving chambers for both the male buckling element and the female buckling element in the aligned position, but clearly fitting within tracks. Figure 9 shows the rotation of the receiving chambers relative to the male and female buckling elements. This rejection is written for claim 5 as this claim is the most detailed of the three independent claims. However, claims 1 and 3 are rejected for the same reasons since they only require either the female buckling element or the male buckling element to have the track and rotatable directing element, respectively, and therefore fall within the rejection of claim 8. As to the dependent claims, and the flexible nature of the strap to which the receiving chambers of the male and female buckling elements are secured permits these receiving chambers to rotate up to 90° relative to those straps and thereby meet the language of these claims.

Conclusion

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The patents of Kaneko (US 2003/0079320, figures 1, 3, 19); Fudaki (US 5263234, figures 1-5) and Ninomiya (US 6035499, figures 1, 2) teach pertinent buckle structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (571) 272-7065.

The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


James R. Brittain
Primary Examiner
Art Unit 3677

JRB